



image

177

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Rembert J. Truesdale, III

Group Art Unit: 1771

Serial No.: 09/918,934

Examiner: Ruddock, Ula

Filed: July 31, 2001

Docket No. 011920-1360

For: **Dyed Melamine Fabrics and Methods for Dyeing Melamine Fabrics**

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Notice of Non-Compliant Amendment mailed July 24, 2003 has been carefully considered. Applicant submits this Response to the Notice of Non-Compliant Amendment.

AUTHORIZATION TO DEBIT ACCOUNT

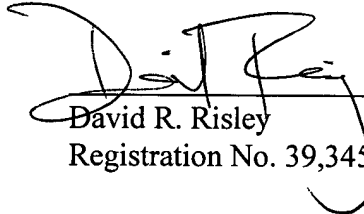
It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

REMARKS

Applicant believes that the Response filed June 26, 2003 is in compliance with the requirements of 37 CFR 1.21 as in effect at that time. Contrary to that alleged in the Notice of Non-Compliant Amendment, Applicant's Response was filed on **June 26, 2003**, not June 30, 2003. Therefore, the Response was filed prior to the June 30, 2003 critical date. Applicant submits herewith evidence that establishes that the Response was in fact filed on June 26, 2003, including the Return Postcard, the Certificate of Mailing, the Amendment Transmittal Letter, the First Response, the Affidavit Testimony of Rembert J. Truesdale III, the Attachment A, the Exhibit "A", the Petition for Extension of Time, and the Credit Card Authorization Form.

Applicant further notes that no fees for extension of time are required since the previous Response was filed prior to the three-month deadline.

Respectfully submitted,

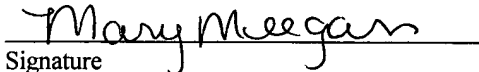


David R. Risley
Registration No. 39,345

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
100 Galleria Parkway N.W., Suite 1750
Atlanta, Georgia 30339
(770) 933-9500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

8-4-03



Signature



CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on August 4, 2003.

Mary Meegan
Mary Meegan

In Re Application of:

Truesdale, III

Serial No.: 09/918,934

Filed: July 31, 2001

Confirmation No.: 4562

Group Art Unit: 1771

Examiner: Ruddock, Ula

Docket No.: 011920-1360

For: **Dyed Melamine Fabrics and Methods for Dyeing Melamine Fabrics**

The following is a list of documents enclosed:

Return Postcard
Response to Notice of Non-Compliant Amendment
Copies of the Return Postcard, the Certificate of Mailing, the Amendment Transmittal Form (1 Page), the First Response, the Petition for Extension of Time, the Credit Card Authorization Form, the Affidavit Testimony of Rembert J. Truesdale III, the Attachment A and the Exhibit "A"

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Serial No.: 09/918,934

Filed: July 31, 2001

Patent No.:

Issued:

Applicant: Rembert J. Truesdale III

Title: Dyed Melamine Fabrics and Methods for Dyeing Melamine Fabrics

Docket No.: 011920-1360

C/M Date: 6-26-03

Due Date: 6-26-03

EM No.:

PATENT AND TRADEMARK OFFICE
STAMP HEREON ACKNOWLEDGES
RECEIPT OF THE BELOW IDENTIFIED
PAPERS:

Cert. of Mailing: ☒ Regular US Mail
☐ Express Mail

Fees ☒ \$110.00
Pymt ☐ Check
Form ☐ Dep. Acct:
☒ Credit Card Paym't Form

☐ Fee Transmittal Page

- ☐ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☒ Amendment Transmittal Page
- ☒ Amendment:

☒ Non-Final ☐ Final
☐ After Not. Allow ☐ Unentered

☒ Petition for Extension of Time
to: June 26, 2003

☐ Claim of Priority & Sub. Cert. Copy
of Foreign Application

☐ Other: Affidavit Testimony of Rembert J. Truesdale (Attachement A) and
Exhibit "A"

Person Mailing: MRM

USPTO STAMP



- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
- ☐ Notice of Appeal
- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
- ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/I NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
- ☐ 3.5 ☐ 7.5 ☐ 11.5
- ☐ in duplicate

Responsible Atty: DRR

RECEIVED
JULY 1, 2003

JUL 1 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on 6-26-03.

Mary Meegan
Mary Meegan

In re application of: Rembert J. Truesdale III

Group No.: 1771

Serial Number: 09/918,934

Examiner: Ruddock, Ula

Filing Date: July 31, 2001

Title: Dyed Melamine Fabrics and Methods for Dyeing Melamine Fabrics

Attached are the following documents for filing with the USPTO:

Postcard
Amendment Transmittal Form (1 Page)
First Response
Petition for Extension of Time
Credit Card Authorization Form
Affidavit Testimony of Rembert J. Truesdale III (Attachment A)
Exhibit "A"

In re PATENT applicat. of: Rembert J. Truesdale III

Serial No: 09/918,934

Examiner: Ruddock, Ula

Filed: July 31, 2001

Group No.: 1771

Docket No.: 011920-1360

Title: Dyed Melamine Fabrics and Methods for Dyeing Melamine Fabrics

Confirmation No.: 4562

AMENDMENT TRANSMITTAL LETTER

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- | | | | |
|-------------------------------------|---|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Response/Amendment | <input type="checkbox"/> | Terminal Disclaimer |
| <input checked="" type="checkbox"/> | Fee as Calculated Below | <input type="checkbox"/> | Corrected Drawings |
| <input type="checkbox"/> | No additional fee is required. | <input checked="" type="checkbox"/> | Other: <u>Petition for Extension of Time</u> |
| <input type="checkbox"/> | Small Entity status has been established. | | |

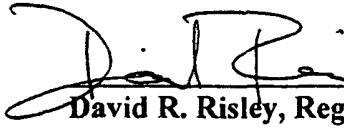
CLAIMS AS AMENDED FOR LARGE ENTITY					
	Claims After Amendment	Highest Prev. Paid For	Extra	Rate	Additional Fee
Total Claims	69	- 69	0	x \$9.00	= \$00.00
Independent Claims	5	- 5	0	x \$42.00	= \$00.00
Total Additional Fee for this Amendment					= \$110.00

- ☐ A check in the amount of \$ _____ is enclosed.
- ☒ A Credit Card Payment Form PTO-2038 is attached in the amount of \$110.00.
- ☐ The Commissioner is hereby authorized to charge to our Deposit Account No. _____ the amount of \$ _____ for the fee identified above. A duplicate of this Amendment Transmittal Letter is included herewith.
- ☒ The Commissioner is authorized to charge any insufficiencies, and the Commissioner is hereby requested to credit any overpayments to our Deposit Account No. 20-0778.

Customer No.: 24504

THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.

Date: 6/26/03


David R. Risley, Reg. No. 39,345
Attorney for Applicant(s)